

BoxInterferences@uspto.gov
Telephone: 571-272-4683

Paper 88
Entered: 23 February 2009

UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference 105,617 McK
Technology Center 1700

INTELLECTUAL CONCEPTS, LLC,
(Named Inventor: Gregory James Caton)

Application 10/782,405,
Junior Party,

v.

ZANNIER, INC.,
(Named Inventor: Paul D. Manos)

Patent 7,264,847 B2,
Senior Party,

*Before: JAMES T. MOORE, Vice Chief Administrative Patent Judge,
FRED E. McKELVEY, Senior Administrative Patent Judge, and
RICHARD E. SCHAFER, Administrative Patent Judge.*

McKELVEY, Senior Administrative Patent Judge.

JUDGMENT

For the reasons given in the MEMORANDUM OPINION and
ORDER entered concurrently herewith (Paper 87), it is

1 ORDERED that judgment on inventorship as to Count 1
2 (the sole count in the interference; Paper 1, page 7) is awarded against Junior
3 Party Intellectual Concepts, LLC, and Gregory James Caton.

4 FURTHER ORDERED that neither Intellectual
5 Concepts, LLC, nor Gregory James Caton are not entitled to a patent
6 containing claims 2, 4-15, 17-28 or 30 (corresponding to Count 1) of:

7 application 10/782,405
8 filed 19 February 2004
9

10 FURTHER ORDERED that claims 2, 4-15, 17-28 and 30 of
11 application 10/782,405 are finally refused. 35 U.S.C. § 135(a).

12 FURTHER ORDERED that if there is a settlement agreement,
13 attention is directed to 35 U.S.C. § 135(c).

14 FURTHER ORDERED that a copy of this JUDGMENT shall
15 be placed in the files of (1) Caton application 10/782,405 and (2) Manos
16 U.S. Patent 7,264,847 B2.

1 105,617

2 cc (via electronic mail):

3
4 Attorney for Caton

5 (real party in interest Intellectual Concepts, LLC):

6
7 Holliday C. Heine, Esq.

8 Thomas O. Hoover, Esq.

9 WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP

10 Ten Post Office Square

11 Boston, MA 02109

12
13 Tel: 617-542-2290, ext. 313

14 Tel: 617-542-2290, ext. 323

15 Fax: 617-451-0313

16 Email: HHeine@wsglip.com

17 Email: THoover@wsglip.com

18
19 Attorney for Manos

20 (real party in interest Zannier, Inc.):

21
22 Ryan Cagle, Esq.

23 Murray Spruill, Esq.

24 ALSTON & BIRD LLP

25 3201 Beechleaf Court

26 Suite 600

27 Raleigh, NC 27604-1062

28
29 Tel: 919-862-2200

30 Fax: 919-862-2260

31 Email: ryan.cagle@alston.com

32 Email: murray.spruill@alston.com